

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

**NOTICE**

Notice is hereby given this 30th day of November 2009, pursuant to changes approved by Congress, the changes to Local Civil Rules 5.1(e), 7(b)(d)(n), 11.1, 16.5(a), 26.2(a), 30.1, 40.5(b), 54.1(a)(b)(e), 65.1(c)(d), 72.2(b), 72.3(b), 79.2, 83.6(c), 83.7, 83.8(b), 83.11(b)(5)(ii), 83.15(c), 83.16(b)(1)(2), 84.4(a), Appendix A and Local Criminal Rules 32.2(a)(d)(g), 47(b)(d), 49.1(e), 57.12(b)(1), 57.18(b)57.21(b), 57.26(c), 59.1(b), 59.2(b) and District Court Local Bankruptcy Rule 5011-2(b)(d)(e), 9033-1(a) take effect.

[New language in bold; old language stricken]

**LCvR 5.1**

**FORM AND FILING OF PLEADINGS AND OTHER PAPERS**

**(e) NAME AND ADDRESS OF PARTIES AND ATTORNEYS.**

- (1) The first filing by or on behalf of a party shall have in the caption the name and full residence address of the party. Where a person is sued in an official capacity, the person's official address shall be used. If the party is appearing *pro se*, the caption shall also include the party's telephone number. Those filing *pro se in forma pauperis* must provide in the caption the name and full residence address or official address of each party. Failure to provide the address information within 30 days upon filing may result in the dismissal of the case against the defendant. All papers signed by an attorney shall contain the name, address, telephone number, and D.C. Bar identification number of the attorney if the attorney is a member of the D.C. Bar. All attorneys listed on any pleading or paper who are members of the D.C. Bar must include their D.C. Bar identification numbers regardless of whether they sign the pleading. Notice of a change in address or telephone number of an attorney or a party not represented by an attorney must be filed within ~~10~~ **14** days of the change. Unless changed by notice filed with the Clerk, the address and telephone number of a party or an attorney noted on the first filing shall be conclusively taken as the last known address and telephone number of the party or attorney.

## **LCvR 7**

### **MOTIONS**

#### **(b) OPPOSING POINTS AND AUTHORITIES.**

Within ~~14~~ **14** days of the date of service or at such other time as the Court may direct, an opposing party shall serve and file a memorandum of points and authorities in opposition to the motion. If such a memorandum is not filed within the prescribed time, the Court may treat the motion as conceded.

#### **(d) REPLY MEMORANDUM.**

Within ~~five~~ **7** days after service of the memorandum in opposition the moving party may serve and file a reply memorandum.

#### **(n) MOTIONS INVOLVING JUDICIAL REVIEW OF ADMINISTRATIVE AGENCY ACTIONS.**

- (2) The appendix shall be prepared jointly by the parties and filed within ~~10~~ **14** days following the final memorandum on the subject motion. The parties are encouraged to agree on the contents of the appendix which shall be filed by plaintiff. In the absence of an agreement, the plaintiff must serve on all other parties an initial designation and provide all other parties the opportunity to designate additional portions of the administrative record. Plaintiff shall include all parts of the record designated by all parties in the appendix.

## **LCvR 11.1**

### **NAMES AND ADDRESS OF PARTIES AND ATTORNEYS**

The first filing by or on behalf of a party shall have in the caption the name and full residence address of the party. Where a person is sued in an official capacity, the person's official address shall be used. If the party is appearing *pro se*, the caption shall also include the party's telephone number. Those filing *pro se in forma pauperis* must provide in the caption the name and full residence address or official address of each party. Failure to provide the address information within 30 days upon filing may result in the dismissal of the case against the defendant. All papers signed by an attorney shall contain the name, address, telephone number, and bar identification number of the attorney. Notice of change in address or telephone number of an attorney or a party not represented by an attorney must be filed within ~~10~~ **14** days of the change. Unless changed by notice filed with the Clerk, the address and telephone number of a party or an attorney noted on the first filing shall be conclusively taken as the last known address and telephone number of the party or attorney.

## **LCvR 16.5**

### **PRETRIAL STATEMENTS**

#### **(a) GENERAL.**

- (2) Not less than ~~eleven~~ **14** days prior to the final Pretrial Conference, each party shall file and serve on every other party a Pretrial Statement, in the form prescribed by subparagraph (b) of this Rule. Amendments to a party's Pretrial Statement shall be permitted for excusable neglect until entry by the court or magistrate judge of a final Pretrial Order.

## **LCvR 26.2**

### **DISCOVERY**

#### **(a) INITIAL DISCLOSURE REQUIREMENTS**

Unless otherwise provided by the court in its scheduling order, the requirement of Rule 26(a)(1), F.R.Civ.P., for initial disclosure of information are applicable in all cases except for cases exempted by order of the court and in the following categories of proceedings:

- (1) an action for review on an administrative record;
- (2) a petition for *habeas corpus* or other proceeding to challenge a criminal conviction or sentence;
- (3) an action brought without counsel by a person in custody of the United States a state, or a state subdivision;
- (4) an action to enforce or quash an administrative summons or subpoena;
- (5) an action by the United States to recover benefit payments;
- (6) an action by the United States to collect on a student loan guaranteed by the United States;
- (7) a proceeding ancillary to proceedings in other courts;
- (8) an action to enforce an arbitration award; and
- (9) FOIA actions

Initial disclosures must be made at or within 14 days after Rule 26(f) conference, F.R.

Civ.P., unless the parties agree or the court orders a different date or unless a party objects during the conference that initial disclosures are not appropriate in the circumstances of the action and states the objection in the Rule 26(f) discovery plan, F.R. Civ.P.

Any party first served or otherwise joined after the Rule 26(f) conference, F.R.Civ. P., must make these disclosure within 30 days after being served or joined unless a different time is set by stipulation or court order. A party must make its initial disclosures based on the information then reasonably available to it and is not excused from making its disclosures because it has not fully completed its investigation of the case or because it challenges the sufficiency of another party's disclosures or because another party has not made its disclosures.

A party that without substantial justification fails to disclose information required by this Rule or by Rule 26(a) or 26(e)(1), F.R.Civ. P., or to amend a prior response to discovery as required by Rule 26(e)(2), F.R.Civ. P., is not, unless such failure is harmless, permitted to use as evidence at a trial, at a hearing, or on a motion any witness or information not so disclosed. In addition to or in lieu of this sanction, the court, on motion and after affording an opportunity to be heard, may impose other appropriate sanctions. These sanctions may include any of the actions authorized under Rule 37(b)(2)(A),(B), and (C), F.R.Civ.P., in addition to requiring payments of reasonable expenses, including attorney's fees, caused by the failure, and may also include informing the jury of the failure to make the disclosure.

Except in categories of proceedings exempted from initial disclosure under Rule 26(a)(1)(E), F.R.Civ. P., or when authorized under these rules or by order or agreement of the parties, a party may not seek discovery from any sources before the parties have conferred as required by Rule 26(f), F.R.Civ.P.

## **LCvR 30.1**

### **SERVICE OF NOTICE OF DEPOSITION**

Service of a notice of deposition ~~five~~ 7 days in advance of the date set for taking the deposition shall constitute "reasonable notice" to a party as required by Rule 30(b), Federal Rules of Civil Procedure, unless the deposition is to be taken at a place more than 50 miles from the District of Columbia, in which case ~~11~~ 14 days shall constitute reasonable notice. The computation of time under this Rule shall be governed by Rule 6, Federal Rules of Civil Procedure. The court may enlarge or shorten the time on application of a party for good cause shown. Nothing in this Rule modifies the provision in Rule 32(a), Federal Rules of Civil Procedure, prohibiting the use of depositions against certain parties who with due diligence are unable to obtain counsel to represent them, or against parties with less than ~~11~~ 14 days notice who file a motion for protective order.

## **LCvR 40.5**

### **RELATED CASES**

#### **(b) NOTIFICATION OF RELATED CASES.**

The parties shall notify the Clerk of the existence of related cases as follows:

- (1) At the time of returning an indictment the United States Attorney shall indicate, on a form to be provided by the Clerk, the name, docket number and relationship of any related case pending in this court or in any other United States District Court. The form shall be mailed to all defense counsel along with the notification of the arraignment. Any objection by the defendant to the related case designation shall be served on the U.S. Attorney and filed with the Clerk with ~~10~~ **14** days after arraignment.

## **LCvR 54.1**

### **TAXATION OF COSTS**

#### **(a) BILL OF COSTS.**

Costs shall be taxed as provided in Rule 54(d), Federal Rules of Civil Procedure. A prevailing party may serve and file a bill of costs which shall include all costs the party seeks to have taxed. This bill of costs shall specifically designate which costs fall within paragraph (d) of this Rule. A bill of costs must be filed with ~~20~~ **21** days after entry of judgment terminating the case as to the party seeking costs, unless the time is extended by the court. Any cost omitted from the bill of costs shall not be allowed, except for post-judgment costs.

#### **(b) OPPOSITION TO THE BILL OF COSTS.**

A party from whom costs are sought may file an opposition to the bill of costs within ~~11~~ **14** days after service of the bill. The opposition shall identify each item objected to, and the grounds for the objection. If no objection is filed, the Clerk shall tax those costs specified in the bill which are permitted by paragraph (d) of this Rule.

#### **(e) MOTION TO RETAX.**

A review of the decision of the Clerk in the taxation of costs may be taken to the court on motion to retax by any party in accordance with Rule 54(d), Federal Rules of Civil

Procedure. The court, on a motion to retax, for good cause shown may tax additional costs or may deny costs allowed by the Clerk pursuant to Section (d). A motion to retax shall specify the ruling of the Clerk excepted to and no other costs will be considered, except that the opposing party may, with ~~11~~ 14 days of service of the motion to retax, file an opposition and/or a cross-motion to retax.

## **LCvR 65.1**

### **TEMPORARY RESTRAINING ORDERS AND PRELIMINARY INJUNCTIONS**

#### **(c) APPLICATIONS FOR PRELIMINARY INJUNCTIONS.**

An application for a preliminary injunction shall be made in a document separate from the complaint. The application shall be supported by all affidavits on which the plaintiff intends to rely. The opposition shall be served and filed with ~~five~~ 7 days after service of the application for preliminary injunction, and shall be accompanied by all affidavits on which the defendant intends to rely. Supplemental affidavits either to the application or the opposition may be filed only with permission of the court.

#### **(d) HEARINGS ON APPLICATIONS FOR PRELIMINARY INJUNCTION.**

On request of the moving party together with a statement of the facts which make expedition essential, a hearing on an application for preliminary injunction shall be set by the court no later than ~~20~~ 21 days after its filing, unless the court earlier decides the motion on the papers or makes a finding that a later hearing date will not prejudice the parties. The practice in this jurisdiction is to decide preliminary injunction motions without live testimony where possible. Accordingly, any party who wishes to offer live testimony or cross-examine an affiant at the hearing shall so request in writing 72 hours before the hearing and shall provide the court and all other parties a list of the witnesses to be examined and an estimate of the time required. The court may decline to hear witnesses at the hearing where the need for live testimony is outweighed by considerations of undue delay, waste of time, or needless presentation of cumulative evidence. If practicable, the court shall notify all parties of its ruling on the request to adduce live testimony one business day before the hearing.

## **LCvR 72.2**

### **REFERRAL OF MOTIONS AND PRETRIAL MATTERS TO MAGISTRATE JUDGES**

#### **(b) OBJECTIONS TO MAGISTRATE JUDGE'S RULING**

Any party may file written objections to a magistrate judge's ruling under paragraph (a)

within ~~10~~ **14** days after being served with the order of the magistrate judge, unless a different time is prescribed by the magistrate judge or the district judge. The objections shall specifically designate the order or part thereof to which objection is made and the basis for the objection. The filing of oppositions and replies shall be governed by LCvR 7(b) and (d).

### **LCvR 72.3**

#### **REFERRAL OF MATTERS FOR REPORT AND RECOMMENDATION BY MAGISTRATE JUDGES**

##### **(b) OBJECTION TO RECOMMENDATIONS OF THE MAGISTRATE JUDGE.**

Any party may file for consideration by the district judge written objections to the magistrate judge's proposed findings and recommendations issued under paragraph (a) within ~~ten~~ **14** days after being served with a copy thereof. The objections shall be denominated "Objections to the Magistrate Judge's Proposed Findings and Recommendations. The objections shall specifically identify the portions of the proposed findings and recommendations to which objection is made and the basis for the objection. The filing of oppositions and replies shall be governed by LCvR 7(b) and (d).

Failure to file timely objections may waive appellate review of a District court order adopting the magistrate judge's report. All magistrate judge's reports shall contain a notice substantially as follows:

Failure to file timely objections to the findings and recommendations set forth in this report may waive your right of appeal from an order of the District Court adopting such findings and recommendations. See *Thomas v. Arn*, 474 U.S. 140 (1985).

### **LCvR 79.2**

#### **CUSTODY OF EXHIBITS IN CIVIL CASES**

All exhibits offered by a party in a civil proceeding whether or not received as evidence, shall be retained after trial by the party or the attorney offering the exhibit, unless otherwise ordered by the court. In the event an appeal is prosecuted, each party to the action in this court, upon notification from the Clerk that the record is to be transmitted and upon request of a party to the appeal, shall file with the Clerk any exhibits to be transmitted as part of the record on appeal. Those exhibits not transmitted as part of the record on appeal shall be retained by the parties, who shall make them available for use by the appellate court upon request. Within thirty days after final disposition of the case by the appellate court, the exhibits shall be removed by the parties who offered them. If any party, having received notice from the Clerk to remove exhibit

as provided herein, fails to do so with thirty days of the date of such notice, the Clerk may destroy or otherwise dispose of those exhibits.

### **LCvR 83.6**

#### **ENTRY AND WITHDRAWAL OF APPEARANCES BY ATTORNEYS IN CIVIL ACTIONS**

##### **(c) WITHDRAWAL OF APPEARANCE BY MOTION.**

If a trial date has been set, or if a party's written consent is not obtained, or if the party is not represented by another attorney, an attorney may withdraw an appearance for a party only by order of the court upon motion by the attorney served upon all parties to the case. Unless the party is represented by another attorney or the motion is made in open court in the party's presence, a motion to withdraw an appearance shall be accompanied by a certificate of service listing the party's last known address and stating that the attorney has served upon the party a copy of the motion and a notice advising the party to obtain other counsel, or, if the party intends to conduct the case *pro se* or to object to the withdrawal, to so notify the Clerk in writing within ~~five~~ 7 days of service of the motion.

### **LCvR 83.7**

#### **REVIEW OF ORDERS AS TO ADMISSION OR EXCLUSION OF PRACTITIONERS BEFORE THE PATENT OFFICE**

A person refused recognition to practice or suspended or excluded from practice before the Patent Office may file a petition in this court against the Commissioner of Patents for review of such action within 30 days after the date of the order recording the Commissioner's action. The Commissioner shall answer the petition within ~~20~~ 21 days after receiving service of the summons. Within ~~11~~ 14 days after filing of the answer, the petitioner shall file a certified copy of the record and proceedings before the Patent Office, which shall constitute the sole basis for the court's review.

### **LCvR 83.8**

#### **ADMISSION TO THE BAR**

##### **(b) PETITION FOR ADMISSION.**

Each applicant for admission shall file with the Clerk at least ~~ten~~ 14 days prior to hearing thereon (unless for good cause shown the judge shall shorten the time) a written petition



for admission on a form supplied by the Clerk stating:

- (1) applicant's residence and office addresses and office telephone number;
- (2) the court where and date when admitted;
- (3) applicant's legal training and experience;
- (4) whether the applicant has ever been held in contempt of court and, if so, the nature of the contempt and the final disposition thereof;
- (5) whether the applicant has ever been convicted of any crime (other than minor traffic offenses) or publicly reprimanded, publicly censured, suspended, disciplined or disbarred by any court, and, if so, the facts and circumstances connected therewith; and
- (6) that the applicant is familiar with:
  - (I) the provisions of the Judicial Code (Title 28 U.S.C.) which pertain to the jurisdiction of and practice in the United States District Courts;
  - (ii) the Federal Rules of Civil or Criminal Procedure;
  - (iii) the Rules of the United States District Court for the District of Columbia; and
  - (iv) the *Rules of Professional Conduct* as adopted by the District of Columbia Court of Appeals except as otherwise provided by specific rule of this Court, and that he/she will faithfully adhere thereto; and
  - (v) D.C. Bar Voluntary Standards for Civility in Professional Conduct, adopted by the Bar on June 18, 1996 (attached as Appendix B).

## **LCvR 83.11**

### **CIVIL PRO BONO PANEL**

#### **(b) ATTORNEYS CONVICTED OF CRIMES**

##### **(5) RESPONSIBILITIES OF THE APPOINTED ATTORNEY**

- (ii) After any such consultation with the *pro se* party, the appointed attorney shall, within 30 days of receiving notice of the appointment or with such additional time permitted by the assigned judge for good cause shown, file

either:

- (aa) a notice of appearance pursuant to Local Civil Rule 83.6(a); or
- (bb) a notice of withdrawal or a motion for withdrawal from the appointment pursuant to paragraph (b)(6) of this Rule

### **LCvR 83.15**

## **OBLIGATIONS OF ATTORNEYS**

### **(c) CHANGES IN ADDRESS.**

Notice to the Clerk of any change in the attorney's address or telephone number (see (b)(4) above) shall be filed in writing with ~~10~~ **14** days of the change. The attorney shall also within ~~10~~ **14** days file a *praecipe* reflecting such change in each case which the attorney has pending before this Court, serving a copy upon each of the attorneys in these cases.

### **LCvR 83.16**

## **GROUND AND PROCEDURES FOR DISCIPLINE**

### **(b) ATTORNEYS CONVICTED OF CRIMES**

#### **(1) FELONIES**

Upon presentation to the Disciplinary Panel of a certified copy of a court record demonstrating that an attorney subject to these Rules has been found guilty of a felony in any court, the attorney shall be immediately suspended from practicing before this court by order of the Disciplinary Panel, whether the finding resulted from a plea of guilty or *nolo contendere* or from a verdict after trial or otherwise, and regardless of the pendency of an appeal. The Disciplinary Panel may defer entry of the order or set aside an order of suspension when it appears to the Panel in the interest of justice to do so.

Upon presentation of proof that the conviction is final, and regardless of the pendency of an appeal or other review of the conviction or of a Petition for *Writ of Certiorari*, the respondent shall be disbarred and the attorney's name shall be struck from the roll of members of the Bar of this Court by order of the Disciplinary Panel, unless within a period of 30 days from the dates of the order, the respondent shows cause why disbarment would not be in the interest of justice.

## **(2) MISDEMEANORS**

An attorney subject to these Rules who shall be convicted in any court of a misdemeanor may be disciplined in such a manner and to such extent as the Disciplinary Panel may determine and may upon petition of the Committee and for good cause shown, be temporarily suspended pending a final decision of the Disciplinary Panel.

Upon receipt of a certified copy of such judgment of conviction, the Committee shall obtain an order from the Disciplinary Panel requiring the respondent to show cause within thirty days after service in accordance with LCvR 83.16(a) why the attorney should not be disciplined. If the respondent files a timely Answer, the Committee shall have 30 days within which to file a response thereto if it so desires. The Committee shall serve a copy of its response, if any, upon the respondent or respondent's counsel of record by first class mail or, failing that, in accordance with LCvR 83.16(a).

Upon the filing of the respondent's Answer to the Order to Show Cause and any response thereto by the Committee, or if no answer has been filed, upon the filing of a recommendation by the Committee, the matter shall be promptly submitted to the Disciplinary Panel for its consideration. The Disciplinary Panel may, in its discretion, schedule a hearing. If a hearing is scheduled, the Chairman or designated member(s) of the Committee shall appear at the hearing and offer proof or arguments pertinent to the issues. After the hearing or, if no hearing is scheduled, upon a review of the papers submitted, the Disciplinary Panel shall take such action as these Rules and justice may require. In all proceedings hereunder the certified copy of the judgment of conviction shall constitute conclusive proof of the respondent's guilt of the conduct for which the respondent was convicted. The pendency of an appeal or other review of the conviction or of a petition for *Writ of Certiorari* will not constitute a ground for failing to proceed in accordance with this Rule absent extraordinary circumstances for good cause shown.

### **LCvR 84.4**

## **REFERRAL TO MEDIATION**

### **(a) METHOD OF REFERRAL.**

#### **Cross Reference**

Local Civil Rule 16.3 requires counsel to meet, within ~~fifteen~~ **14** days after defendant enters an appearance in a case, to discuss whether mediation might be appropriate and to submit their views to the Court within ~~ten~~ **14** days after the meeting. Counsel must also indicate whether they discussed mediation with their clients before filing their report.

## **APPENDIX A**

### **HOW DOES A CASE GET INTO THE MEDIATION PROGRAM?**

***Voluntary participation:*** Participation in the District Court's Mediation Program is voluntary. Parties may request mediation or the presiding judge may suggest it at a status conference. If all parties consent, the judge issues an order referring the case to the Office of the Circuit Executive, where the program is administered. The referral may take place at any time while the case is pending.

***Local Rule LCvR 16.3(a)*** Local Rule 16.3 (a) requires counsel to meet, within 21 days after the defendant enters an appearance in a case to discuss – among other things – whether mediation might be appropriate. In assessing the possibility of mediation, counsel must consider:

- their clients' goals and objectives;
- the status of any prior settlement talks;
- the potential timing of any referral to mediation;
- whether their clients might benefit from a neutral evaluation of the merits of the case; and
- whether mediation might result in cost savings or any other practical benefits.

Within ~~10~~**14** days following this meeting, the parties must submit a joint report to the Court describing their views on the application of mediation to their case and outlining the steps that might be taken to facilitate that process. The report must also tell the Court whether counsel discussed mediation with their clients before filing the report.

This, even if the presiding judge does not suggest that counsel consider mediation, *LCvR 16.3(a)* requires them to do so.

## **LOCAL CRIMINAL RULES**

### **LCrR 32.2**

#### **SENTENCING GUIDELINES**

- (a) Not less than ~~27~~**28** days prior to the date set for the sentencing, the probation officer shall disclose the initial presentence report to the defendant and the prosecution. With ~~10~~**14** days thereafter, counsel shall communicate to the probation officer any objections they may have as to any material information, sentencing classifications, sentencing guideline ranges, and policy statements contained in or omitted from the report. Such communication may be oral or written, but the probation officer may require that any oral

objection be promptly confirmed in writing.

- (d) A hearing shall be held not more than ~~5~~ 7 days prior to the date of sentencing to resolve any disputed issues of fact, and to gather any other information the Court finds to be relevant to the sentencing guideline calculation. The Court may consider any reliable information presented by the probation officer, the defendant, or the prosecution.
- (g) Any of the time periods set forth in this Rule may be modified by the Court on its own motion, or at the request of a party or the probation officer for good cause shown, and the Court may direct that the evidentiary hearing provided for in subsection (d) shall be held on the sentencing date. However, the ~~10~~ 14-day period set forth in subsection (a) may be diminished only with the consent of the defendant.

## **LCrR 47**

### **MOTIONS**

#### **(b) OPPOSING POINTS AND AUTHORITIES.**

Within ~~14~~ 14 days of the date of service or at such other time as the Court may direct, an opposing party shall serve and file a memorandum of points and authorities in opposition to the motion. If such a memorandum is not filed within the prescribed time, the Court may treat the motion as conceded.

#### **(d) REPLY MEMORANDUM.**

Within ~~five~~ 7 days after service of the memorandum in opposition, the moving party may serve and file a reply memorandum.

## **LCrR 49.1**

### **FORM AND FILING OF PLEADINGS AND OTHER PAPERS**

#### **(e) NAME AND ADDRESS OF PARTIES AND ATTORNEYS.**

All papers signed by an attorney shall contain the name, address, telephone number, and D.C. Bar identification number of the attorney if the attorney is a member of the D.C. Bar. All attorneys listed on any pleading or paper who are members of the D.C. Bar must include their D.C. Bar identification numbers regardless of whether they sign the pleading. Notice of a change in address or telephone number of an attorney or a party not represented by an attorney must be filed within ~~10~~ 14 days of the change. Unless changed by notice filed with the Clerk, the address and telephone number of a party or an attorney noted on the first filing shall be conclusively taken as the last known address and telephone number of the party or attorney.

## **LCrR 57.12**

### **RELATED CASES**

#### **(b) NOTIFICATION OF RELATED CASES.**

The parties shall notify the Clerk of the existence of related cases as follows:

- (1) At the time of returning an indictment the United States Attorney shall indicate, on a form to be provided by the Clerk, the name, docket number and relationship of any related case pending in this Court or in any other United States District Court. The form shall be mailed to all defense counsel along with the notification of the arraignment. Any objection by the defendant to the related case designation shall be served on the U.S. Attorney and filed with the Clerk within ~~20~~ **21** days after arraignment.

## **LCrR 57.18**

### **REFERRAL OF MOTIONS AND PRETRIAL MATTERS TO MAGISTRATE JUDGES**

#### **(b) MOTION FOR RECONSIDERATION OF THE MAGISTRATE JUDGE'S RULING.**

Any party may request the judge to reconsider a magistrate judge's ruling under paragraph (a) by filing a motion to reconsider with ~~10~~ **14** days after being served with the order of the magistrate judge, unless a different time is prescribed by the magistrate judge or the judge. The motion shall specifically designate the order or part thereof to which objection is made, and the basis for the objection.

## **LCrR 57.21**

### **ADMISSION TO THE BAR**

#### **(b) PETITION FOR ADMISSION.**

Each applicant for admission shall file with the Clerk at least ~~ten~~ **14** days prior to hearing thereon (unless for good cause shown the judge shall shorten the time) a written petition for admission on a form supplied by the Clerk stating:

- (1) applicant's residence and office addresses and office telephone number;
- (2) the court where and date when admitted;
- (3) applicant's legal training and experience;

- (4) whether the applicant has ever been held in contempt of court and, if so, the nature of the contempt and the final disposition thereof;
- (5) whether the applicant has ever been convicted of any crime (other than minor traffic offenses) or publicly reprimanded, publicly censured, suspended, disciplined or disbarred by any court, and, if so, the facts and circumstances connected therewith; and
- (6) that the applicant is familiar with:
  - (i) the provisions of the Judicial Code (Title 28 U.S.C.) which pertain to the jurisdiction of and practice in the United States District Courts;
  - (ii) the Federal Rules of Civil or Criminal Procedure;
  - (iii) the Rules of the United States District Court for the District of Columbia; and
  - (iv) the *Rules of Professional Conduct* as adopted by the District of Columbia Court of Appeals except as otherwise provided by specific rule of this Court, and that he/she will faithfully adhere thereto; and
  - (v) D.C. Bar Voluntary Standards for Civility in Professional Conduct, adopted by the Bar on June 18, 1996 (attached as Appendix B to the Local Civil Rules).

#### **LCrR 57.26**

### **OBLIGATIONS OF ATTORNEYS**

#### **(c) CHANGES IN ADDRESS.**

Notice to the Clerk of any change in the attorney's address or telephone number (see (b)(4) above) shall be filed in writing with ~~10~~ **14** days of the change. The attorney shall also with ~~10~~ **14** days file a *praecipe* reflecting such change in each case which the attorney has pending before this Court, serving a copy upon each of the attorneys in these cases.

#### **LCrR 59.1**

### **REFERRAL OF MOTIONS AND PRETRIAL MATTERS TO MAGISTRATE JUDGES**

#### **(b) OBJECTIONS TO MAGISTRATE JUDGE'S RULING**

Any party may file written objections to a magistrate judge's ruling under paragraph (a)

within ~~10~~ 14 days after being served with the order of the magistrate judge or after the oral order is stated on the record, unless a different time is prescribed by the magistrate judge or the district judge. The objections shall specifically designate the order or part thereof to which objection is made, and the basis for the objection. The filing of oppositions and replies shall be governed by LCrR 47(b) and (d).

## **LCrR 59.2**

### **REFERRAL OF MATTERS FOR HEARING AND RECOMMENDATION BY MAGISTRATE JUDGES**

#### **(b) OBJECTIONS TO RECOMMENDATIONS OF THE MAGISTRATE JUDGE**

Any party may file for consideration by the district judge written objections to the magistrate judge's proposed findings and recommendations issued under paragraph (a) within ~~ten~~ 14 days after being served with a copy thereof. The objections shall be denominated "Objections to the Magistrate Judge's Proposed Findings and Recommendations." The objections shall specifically identify the portions of the proposed findings and recommendations to which objection is made and the basis for the objection. The filing of oppositions and replies shall be governed by LCrR 47(b) and (d).

Failure to file timely objections may waive appellate review of a District Court order adopting the magistrate judge's report. All magistrate judge's reports shall contain a notice substantially as follows:

Failure to file timely objections to the findings and recommendations set forth in this report may waive your right of appeal from the order of the District Court adopting such findings and recommendations. See *Thomas v. Arn*, 474 U.S. 140 (1985).

### **ADMINISTRATION OF THE BANKRUPTCY SYSTEM**

#### **DCt.LBR 5011-2**

### **WITHDRAWAL OF REFERENCE**

#### **(b) TIME FOR FILING.**

Except as provided below as to adversary proceedings and contested matters, motion to withdraw the reference of a whole bankruptcy case or any part of a bankruptcy case shall be served and filed at or before the time first scheduled for the meeting of creditors held pursuant to 11 U.S.C. § 341(a). Except as provided below as to contested matters, a motion to withdraw the reference of a whole adversary proceeding or any part of an adversary proceeding shall be served and filed on or before the date on which an answer,



reply or motion under Bankruptcy Rule 7012 or 7015 is first due. A motion to withdraw the reference of a contested matter within a case shall be served and filed not later than ~~14~~ **14** days after service of the motion, application or objection which initiates the contested matter. Notwithstanding the foregoing, a motion to withdraw the reference may be served and filed not later than ~~14~~ **14** days after service of any timely filed pleading or paper in which the basis for the motion first arises.

**(d) DESIGNATION OF RECORD.**

The moving party shall serve and file, together with the motion to withdraw the reference, a designation of those portions of the record of the proceedings in the Bankruptcy Court that the moving party believes will reasonably be necessary or pertinent to the District Court's consideration of the motion. Within ~~14~~ **14** days after service of such designation of record, any other party may serve and file a designation of additional portions of the record. If the record designated by any party includes a transcript of any proceeding or a part thereof, that party shall immediately after filing the designation deliver to the reporter and file with the Clerk of the Bankruptcy Court a written request for the transcript and make satisfactory arrangements for payment of its cost. All parties shall take any other action necessary to enable the Clerk to assemble and transmit the record. The parties shall submit only that part or parts of a transcript of proceedings relevant to the issues raised on the motion for withdrawal of reference. If the issues involve only questions of law, the parties may submit an agreed statement of facts or such part or parts of the records as are relevant to such questions of law, unless the District Judge considering the motion directs otherwise.

**(e) RESPONSES TO MOTIONS TO WITHDRAW THE REFERENCE; REPLY.**

Opposing parties shall file with the Clerk of the Bankruptcy Court, and serve on all parties to the matter as to which withdrawal of the reference has been requested, their written responses to the motion to withdraw the reference, within ~~14~~ **14** days after being served a copy of the motion. The moving party may serve and file a reply within ~~14~~ **14** days after service of a response.

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***DE NOVO REVIEW***

**(a) FORM OF REQUEST; TIME AND PLACE FOR FILING.**

Pursuant to 28 U.S.C. § 157(c)(1), any party may request *de novo* review of proposed finds of fact and conclusions of law and a proposed final order or judgment by the Bankruptcy Judge by filing with the Clerk of the Bankruptcy Court, and serving on all parties to the matter under review with ~~14~~ **14** days after service of a copy of such proposed findings, conclusions and order of judgment, written objections which shall specifically identify the portions of the proposed findings, conclusions, and order or

judgment to which object is made and the basis for such objection. All such objections shall conform to Local Rule 7 of the Local Civil Rules of the Court and in addition shall clearly and conspicuously state that "RELIEF IS SOUGHT FROM A UNITED STATES DISTRICT JUDGE."